

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JESSIE JEFFERSON FLOURNOY, III

Plaintiff

V.

S. SALMONSON

Defendant

Case No. 5:20-cv-00176-RWS-JBB

ORDER

Jessie Jefferson Flournoy, III, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court referred this matter to the Honorable Caroline M. Craven, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of the Court.

The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that a motion to dismiss filed by the Respondent be granted and the petition be dismissed without prejudice as moot. Docket No. 14. Petitioner received the Report and Recommendation on April 26, 2022. Docket No. 16. No objections to the Report and Recommendation have been filed. Accordingly, Petitioner is not entitled to *de novo* review of the unobjected-to factual findings and legal conclusions contained in the Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); *Douglass v. United Serv. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the pleadings in this case and the Report and Recommendation of United States Magistrate Judge and agrees with the Report of the Magistrate Judge. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as

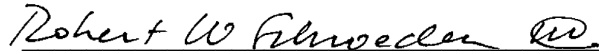
[their] merit commands and the sound discretion of the judge warrants’ ”) (quoting *Mathews v. Weber*, 423 U.S. 262, 275 (1976)).

The Court hereby **ADOPTS** the Report and Recommendation of United States Magistrate Judge (Docket No. 14) as the findings and conclusions of this Court. Accordingly, it is

ORDERED that the Motion to Dismiss (Docket No. 13) is **GRANTED** and this petition for writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** as moot.

IT IS SO ORDERED.

SIGNED this 11th day of July, 2022.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE